

Remarks

The Office Action of July 10, 2007, has been received and reviewed. Claims 1-4, 6, 8-10, 12, 15-23, 25-30, 32, 33, 35-37, 39, 42, 43, 46 and 47 are currently pending in the application. Claims 12, 15-23, 25, 26, 32, 33, 35-37, 39, 42 and 43 are withdrawn from consideration as being directed to a non-elected invention. Claims 1-4, 6, 8-10, 27-30, 46 and 47 stand rejected. Claims 6, 8, 27, 46 and 47 stand objected to. Claims 1, 8, 27, 46 and 47 are amended herein. Claims 6, 12, 15-23, 25, 26, 33, 35-37, 39, 42, and 43 are canceled. All amendments and cancellations are made without prejudice or disclaimer. Reconsideration is respectfully requested.

Claim Objection

The objection to claim 6 is moot as claim 6 is canceled herein. Claim 8 has been amended to depend from claim 1. Claims 27, 46 and 47 have been amended to correct typographical errors. Reconsideration and withdrawal of the objections is requested.

35 U.S.C. §112, second paragraph

Claims 1-4, 6, 8-10, 27-30, 46 and 47 stand rejected under 35 U.S.C. §112, second paragraph, as allegedly failing to comply with the written description requirement. Claim 6 is canceled, thus, the rejection of this claim is moot. The claims are allegedly indefinite as failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicants respectfully traverse the rejection.

The rejection was directed to the language in the independent claims of "providing said yeast cell with a nucleic acid encoding said ectodomain or functional part thereof selected from the group consisting of parts spanning from amino acid residue 25-442, 97-318, 97-442, and 97-545." While not conceding that the claim is indefinite, claims 1, 27, 46 and 47 have been amended to include the similar elements of "providing said yeast cell with an isolated or recombinant nucleic acid encoding a functional part of a *Plasmodium falciparum* AMA-1 ectodomain, wherein the functional part thereof comprises the amino acid sequence corresponding to amino acids residues selected from the group consisting of 25-442, 97-318, 97-442, and 97-545 of SEQ ID NO: 6.." It would be clear to one of skill in the art that the functional

part of the ectodomain includes one of the claimed amino acid sequences, *i.e.*, amino acid residues 25-442, 97-318, 97-442 or 97-545 of SEQ ID NO: 6. *See also, Specification*, page 5, 24 and 25. Reconsideration and withdrawal of the rejection is requested.

It was thought that claims 1, 27, 46 and 47 were unclear whether only the ectodomain from which the functional part is derived is required to show specificity for mAB 4G2 or if the functional part of the ectodomain that is present in the invention is also required to exhibit specificity for mAB 4G2. Claims 1, 27, 46 and 47 have been amended to recite “wherein said *Plasmodium falciparum* AMA-1 ectodomain or the functional part thereof exhibits specificity for mAb 4G2.” Reconsideration and withdrawal of the rejection is requested.

It was thought that claims 1, 27, 46 and 47 were unclear as the claims refer to amino acid residue numbers, but FIG. 1 allegedly does not include residue numbers to correlate to the claims. Claims 1, 27, 46 and 47 have been amended to recite “wherein the functional part thereof comprises the amino acid sequence corresponding to amino acids residues selected from the group consisting of 25-442, 97-318, 97-442, and 97-545 of SEQ ID NO: 6.” Reconsideration and withdrawal of the rejection is requested.

It was thought that claims 46 and 47 lack antecedent basis for “the nucleotide sequence encoding the functional part thereof of FIG. 1.” Claims 46 and 47 have been amended to recite for “a nucleotide sequence encoding the functional part thereof of FIG. 1.” Reconsideration and withdrawal of the rejection is requested.

Entry of Amendments

The proposed amendments to the claim should be entered by the Examiner because the amendments are supported by the as-filed specification and drawings and do not add any new matter to the application. Further, the amendments do not raise new issues or require a further search. Finally, if the Examiner determines the amendments do not place the application in condition for allowance, entry is respectfully requested upon filing a Notice of Appeal herein.

Conclusion

In view of the foregoing amendments and remarks, Applicants submit that the claims define patentable subject matter and a notice of allowance is requested. Should questions exist after consideration of the foregoing, the Office is kindly requested to contact the Applicants' attorney at the address or telephone number given herein.

Respectfully submitted,



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Date: October 11, 2007
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